

THURSDAY, MARCH 5, 1998
SEVENTIETH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McDonald.

Representative McDonald led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present96

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Garrett; business reasons

Representative McKee; death in family

Representative Boyer; business reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 560: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 562: Rep(s). Boyer as prime sponsor(s).

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House Bill No. 11: Rep(s). Beavers, McDaniel, Dunn, Kerr, Stamps, Haley and Walker(Blount) as prime sponsor(s).

House Bill No. 12: Rep(s). Hargett, Walker(Blount), Beavers, Haley, Kerr, Stamps, Walley, McDaniel and Dunn as prime sponsor(s).

House Bill No. 1326: Rep(s). Ferguson and Turner(Hamilton) as prime sponsor(s).

House Bill No. 1446: Rep(s). Arriola as prime sponsor(s).

House Bill No. 1588: Rep(s). Phelan and McDaniel as prime sponsor(s).

House Bill No. 2096: Rep(s). Pleasant, Haley, Sargent, Hargett, Newton, Walker(Blount), Wood and Beavers as prime sponsor(s).

House Bill No. 2133: Rep(s). Sharp as prime sponsor(s).

House Bill No. 2187: Rep(s). U. Jones(Shelby) as prime sponsor(s).

House Bill No. 2289: Rep(s). Lewis, Walker(Rhea), Wood and McAfee as prime sponsor(s).

House Bill No. 2363: Rep(s). Phillips as prime sponsor(s).

House Bill No. 2385: Rep(s). Haley as prime sponsor(s).

House Bill No. 2463: Rep(s). Turner(Hamilton) as prime sponsor(s).

House Bill No. 2492: Rep(s). Robinson, Lewis, Hood, Williams, McDaniel, Hassell, Scroggs, J. DeBerry and Caldwell as prime sponsor(s).

House Bill No. 2501: Rep(s). Pleasant, Hargett, Langster and Haley as prime sponsor(s).

House Bill No. 2583: Rep(s). Walker(Blount) as prime sponsor(s).

House Bill No. 2595: Rep(s). Ferguson, Turner(Hamilton) and Cooper as prime sponsor(s).

House Bill No. 2621: Rep(s). Ridgeway, Lewis, Ferguson and Stulce as prime sponsor(s).

House Bill No. 2842: Rep(s). Haley and Hargett as prime sponsor(s).

House Bill No. 2904: Rep(s). Turner(Hamilton) as prime sponsor(s).

House Bill No. 2906: Rep(s). Turner(Hamilton) as prime sponsor(s).

House Bill No. 2908: Rep(s). Walker(Blount) and Turner(Hamilton) as prime sponsor(s).

House Bill No. 2909: Rep(s). Turner(Hamilton) as prime sponsor(s).

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- House Bill No. 2972:** Rep(s). Langster as prime sponsor(s).
- House Bill No. 3141:** Rep(s). Cooper as prime sponsor(s).
- House Bill No. 3163:** Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).
- House Bill No. 3169:** Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).
- House Bill No. 3177:** Rep(s). Robinson, Stamps and Boner as prime sponsor(s).
- House Bill No. 3209:** Rep(s). Fraley as prime sponsor(s).
- House Bill No. 3237:** Rep(s). Westmoreland as prime sponsor(s).
- House Bill No. 3242:** Rep(s). Kent as prime sponsor(s).
- House Bill No. 3264:** Rep(s). Ferguson as prime sponsor(s).
- House Bill No. 3337:** Rep(s). Gunnels as prime sponsor(s).
- House Bill No. 3339:** Rep(s). Gunnels as prime sponsor(s).
- House Bill No. 3358:** Rep(s). Head as prime sponsor(s).

ENROLLED BILLS

March 3, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 3210.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 3, 1998

The Speaker signed the following: House Bill(s) No(s). 3210.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 3, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480 and 481; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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Senate Joint Resolution No. 466 -- Memorials, Sports - Shawna Jones, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 467 -- Memorials, Sports - Amie Hreno, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 468 -- Memorials, Sports - Lindsey Bush, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 469 -- Memorials, Sports - Leslie Nelson, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 470 -- Memorials, Sports - Melanie Hill, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 471 -- Memorials, Sports - Kristine Fox, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 472 -- Memorials, Sports - Jessica Lee Davis, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 473 -- Memorials, Sports - Jessami Jacobson, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 474 -- Memorials, Sports - Krissy Jones, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 475 -- Memorials, Sports - Keely Williams, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 476 -- Memorials, Sports - Adriane Fertiitta, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 477 -- Memorials, Sports - Michelle Fortner, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 478 -- Memorials, Sports - Megan Karl, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 479 -- Memorials, Sports - Kristen Dutton, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 480 -- Memorials, Sports - Kelly Hill, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 481 -- Memorials, Sports - Amy Becker, Hendersonville High School Golden Girls Dance Team. by *Graves.

MESSAGE FROM THE SENATE

March 3, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3210; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 3, 1998

MR. SPEAKER: I am directed by the Senate to request the return of Senate Bill(s) No(s). 2415, for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 3, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 3210; also, House Joint Resolution(s) No(s). 490, 528, 529, 530 and 531.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 3, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3210, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

March 3, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 533, 534, 535, 537, 538 and 539; also, House Resolution(s) No(s). 163, 164, 165 and 166.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 3, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 533, 534, 535, 537, 538 and 539; also, House Resolution(s) No(s). 163, 164, 165 and 166.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

March 3, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2462 and 2963.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 3, 1998

The Speaker signed the following: House Bill(s) No(s). 2462 and 2963.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 4, 1998

The Speaker signed the following: Senate Bill(s) No(s). 1729 and 2474; also, Senate Joint Resolution(s) No(s). 442, 443, 447, 449 and 491.

MESSAGE FROM THE GOVERNOR

March 4, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 490, 528, 529, 530 and 531, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 4, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2462 and 2963; also, House Joint Resolution(s) No(s). 533, 534, 535, 537, 538 and 539; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 4, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 922, 2154, 2186, 2282, 2410, 2423, 2457, 2481, 2525, 2571, 2611, 2823, 2897, 3093, 3117, 3182 and 3296; also, Senate Joint Resolution(s) No(s). 440, 451, 452, 453, 454, 455, 456, 459, 460, 461, 462, 463 and 464 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 4, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2462 and 2963; also, House Joint Resolution(s) No(s). 533, 534, 535, 537, 538 and 539.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS
March 4, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2676, 2924, 2941, 2950, 2987, 3038 and 3369.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 4, 1998

The Speaker signed the following: House Bill(s) No(s). 2676, 2924, 2941, 2950, 2987, 3038 and 3369.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 5, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 482, 484, 485, 486, 487, 488, 489 and 490; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 482 -- Naming and Designating - National Student Athlete Day, April 6, 1998. by *Womack.

Senate Joint Resolution No. 484 -- Memorials, Personal Occasion - Amanda Leigh Leatherwood. by *Person, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 485 -- Memorials, Personal Occasion - Verda and Roy Napier, 50th Anniversary. by *Kurita.

Senate Joint Resolution No. 486 -- Memorials, Recognition and Thanks - Fowler Stanton, Oldest Band Director. by *Burks, *Burks.

THURSDAY, MARCH 5, 1998 -- SEVENTIETH LEGISLATIVE DAY

Senate Joint Resolution No. 487 -- Memorials, Sports - 1997-1998 Murfreesboro Central Middle School girls' basketball team, Tennessee Middle School Athletic Association state champions. by *Womack.

Senate Joint Resolution No. 488 -- Memorials, Academic Achievement - Belmont University School of Nursing Honor Society, official chapter of Sigma Theta Tau International. by *Kurita, *Harper.

Senate Joint Resolution No. 489 -- Memorials, Death - Guy Austin Baggett. by *Kurita.

Senate Joint Resolution No. 490 -- Memorials, Death - Jim Kennedy, former Chief of Staff and Deputy Governor for Governor Ned McWherter. by *Henry, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

MESSAGE FROM THE SENATE

March 5, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2676, 2924, 2941, 2950, 2987, 3038 and 3369; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2707, 2798, 2937, 2962, 3173 and 3371; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 497, 540, 541, 542, 543 and 544; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1520; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 5, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 493; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 493 -- Memorials, Recognition and Thanks - Centerville Women's Club, 50th Anniversary. by *Springer.

MESSAGE FROM THE SENATE
March 5, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 502; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 502 -- Memorials, Public Service - Marcia D. Allen. by *Harper.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 169 -- Naming and Designating - "Dr. Clyde Cobb Day" in Roane County, March 31, 1998. by *Ferguson.

Calendar & Rules Committee

House Joint Resolution No. 561 -- Naming and Designating - Professional Social Work Month, March 1998. by *Brown.

Held on House Desk

***House Joint Resolution No. 565** -- Constitutional Amendments - Removes constitutional ban on lotteries if proceeds allocated for education. by *Kernell.

Health State & Local Government Committee

House Joint Resolution No. 567 -- Naming and Designating - "Henry-Stafford Agricultural Exposition Center," Roane State Community College. by *Ferguson, *Gunnels.

Education Committee

***House Joint Resolution No. 568** -- Highway Signs - "Sterling Edgar Stovall Memorial Bridge," S.R. 273 in Giles County. by *Fowlkes.

Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 9, 1998:

House Resolution No. 168 -- Memorials, Sports - Jumping Jackets Jump Rope team. by *Ferguson.

House Joint Resolution No. 564 -- Memorials, Sports - Jeffrey Howard Roberts, 1997-1998 University of Tennessee drum major. by *Burchett.

House Joint Resolution No. 566 -- Memorials, Recognition and Thanks - Roosevelt Allen. by *Boyer.

House Joint Resolution No. 569 -- Memorials, Recognition and Thanks - Reverend Richard Willis Gordon, Murfreesboro First Baptist Church. by *Hood, *Eckles.

House Joint Resolution No. 570 -- Memorials, Death - M. Norvel Young, "Mr. Pepperdine.". by *Halteman Harwell.

House Joint Resolution No. 571 -- Memorials, Personal Occasion - Mr. and Mrs. John S. Pitts, 50th wedding anniversary. by *Hargett.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 9, 1998:

Senate Joint Resolution No. 466 -- Memorials, Sports - Shawna Jones, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 467 -- Memorials, Sports - Amie Hreno, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 468 -- Memorials, Sports - Lindsey Bush, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 469 -- Memorials, Sports - Leslie Nelson, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 470 -- Memorials, Sports - Melanie Hill, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 471 -- Memorials, Sports - Kristine Fox, Hendersonville High School Golden Girls Dance Team. by *Graves.

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Senate Joint Resolution No. 472 -- Memorials, Sports - Jessica Lee Davis, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 473 -- Memorials, Sports - Jessami Jacobson, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 474 -- Memorials, Sports - Krissy Jones, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 475 -- Memorials, Sports - Keely Williams, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 476 -- Memorials, Sports - Adriane Fertitta, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 477 -- Memorials, Sports - Michelle Fortner, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 478 -- Memorials, Sports - Megan Karl, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 479 -- Memorials, Sports - Kristen Dutton, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 480 -- Memorials, Sports - Kelly Hill, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 481 -- Memorials, Sports - Amy Becker, Hendersonville High School Golden Girls Dance Team. by *Graves.

Senate Joint Resolution No. 484 -- Memorials, Personal Occasion - Amanda Leigh Leatherwood. by *Person, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 485 -- Memorials, Personal Occasion - Verda and Roy Napier, 50th Anniversary. by *Kurita.

Senate Joint Resolution No. 486 -- Memorials, Recognition and Thanks - Fowler Stanton, Oldest Band Director. by *Burks, *Burks.

Senate Joint Resolution No. 487 -- Memorials, Sports - 1997-1998 Murfreesboro Central Middle School girls' basketball team, Tennessee Middle School Athletic Association state champions. by *Womack.

Senate Joint Resolution No. 488 -- Memorials, Academic Achievement - Belmont University School of Nursing Honor Society, official chapter of Sigma Theta Tau International. by *Kurita, *Harper.

Senate Joint Resolution No. 489 -- Memorials, Death - Guy Austin Baggett. by *Kurita.

Senate Joint Resolution No. 493 -- Memorials, Recognition and Thanks - Centerville Women's Club, 50th Anniversary. by *Springer.

Senate Joint Resolution No. 502 -- Memorials, Public Service - Marcia D. Allen. by *Harper.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 407** -- General Assembly, Confirmation of Appointment - Dr. James M. Powers, Sr., Tennessee Higher Education Commission. by *Springer, *Cohen, *Crutchfield, *Atchley, *Kyle, *Springer, *Womack, *Wilder, *McNally, *Kurita, *Haynes, *Henry.

Education Committee

Senate Joint Resolution No. 482 -- Naming and Designating - National Student Athlete Day, April 6, 1998. by *Womack.

Education Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3382 -- Bristol - Subject to local approval, changes date of election for city council from Tuesday after first Monday in June to third Tuesday in May. Amends Chapter 84 of the Private Acts of 1991, as amended. by *Godsey, *Mumpower.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2057** -- Motor Vehicles - Revises notice to be placed on motor vehicle when odometer is repaired or replaced and mileage cannot remain the same. Amends TCA Section 39-14-132. by *Cooper.

Senate Bill No. 2178 -- Taxes, Sales - Extends sales tax exemption to motor vehicles purchased by military personnel stationed at Arnold Engineering Development Center. Amends TCA Section 67-6-303. by *Burks.

***Senate Bill No. 3014** -- Public Funds and Financing - Extends dates for and rewrites parts of internal accounting and administrative control laws under Financial Integrity Act. Amends TCA Title 9, Chapter 18, Part 1. by *Henry.

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***Senate Bill No. 3019** -- Taxes, Real Property - Requires copy or reproduction of property maps, filed by assessor with county register of deeds to be in format and storage medium approved by director of division of property assessments. Amends TCA Section 67-5-806. by *Henry.

***Senate Bill No. 3139** -- Insurance Companies, Agents, Brokers - Revises qualified investments of domestic life insurance companies. Amends TCA Title 56, Chapters 1 and 3. by *Haynes.

***Senate Bill No. 3247** -- Public Buildings - Authorizes municipality to agree to indemnify public building authority, its directors, officers and employees, for negligence. Amends TCA Section 12-10-114. by *Atchley.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3379 -- Ripley - Local Bill Held on House Desk

House Bill No. 3380 -- Westmoreland - Local Bill Held on House Desk

House Bill No. 3381 -- Dickson - Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 3, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 5, 1998**: House Bill(s) No(s). 2453, 2278, 2501, 3141, 2133, 2096, 2864, 2250 and 2463.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 9, 1998**: House Bill(s) No(s). 2685, 3135, 2613, 2739, 3212, 2775, 2230, 2718, 2395, 2110, 2709, 2143, 2449 and 2416.

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 3041 and 2549; also House Bill(s) No(s). 2816, 2446, 2454 and 2740 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 3027, also House Bill(s) No(s). 2284 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2886, 2496, 3017, 3352, 3304, 2618, 2616 and Senate Joint Resolution No. 403, also House Bill(s) No(s). 2904 and 2106 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2271; also House Bill(s) No(s). 2487 and 2383 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended that House Bill(s) No(s). 2842, 2843, 2653 and 2531 be transmitted to the Health & Human Resources Committee.

It further recommended that House Bill(s) No(s). 2394 be transmitted to the Education Committee, House Bill No. 2298 be transmitted to the Agriculture Committee; also House Bill(s) No(s). 2314 and 3305 with amendments were transmitted to the Children & Family Affairs Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2713, 2837 and House Joint Resolution No. 525. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2583 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2932, 2662, 2997, 2996, 3095, 2187, 2760, 2292 and 3248, also House Bill(s) No(s). 3026, 3205, 3003, 2286, 2532 and 2102 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3338, 2906, 3276, 2909, 3337, 2464 and 2466; also House Bill(s) No(s). 2877 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 4, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 9, 1998**: House Bill(s) No(s). 262, 3163, 3169, 3025, 2615, 3303, 2611, 3152, 2428, 2967, 2469, 2195, 2079, 2202, 2970, 3014, 3217, 1085, 2223, 2732, 3154 and House Joint Resolution No. 331.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 9, 1998**: House Bill(s) No(s). 2915, 2452, 3028, 3034, 2220, 3227, 2972, 2735, 3265, 2555 and House Resolution(s) No(s). 151, 152 153.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 3349 and 3009, also House Bill(s) No(s). 2520 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 2908 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2512 and 2901, also House Bill(s) No(s). 2224, 2577, 2235 and 2621 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 3203, 2694, 3222, 2683, 3004, 2951, 2952, 2556, 3341, 3162, 2315, 3191 and House Resolution No. 154, also House Bill(s) No(s). 2090, 1790, 3164, 3165, 2316, 2656, 2916 and 3142 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2657, 3157 and 3166. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2623, 2043, 2986, 3183, 530 and 2822, also House Bill(s) No(s). 3278 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2447. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 5, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 11, 1998**: House Bill(s) No(s). 2454, 3033, 2549, 2446, 3017, 2850, 2740 and Senate Joint Resolution No. 403.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 9, 1998**: House Bill(s) No(s). 2618 and 2616.

CAPTION BILLS REFERRED

March 4, 1998

Pursuant to **Rule No. 47**, the following Caption Bill(s), 2346, 2348, 2521, 2756, 2827, 2389, 2584, 2586, 2587, 2588, 2590, 2589, 2749, 2567, 2585, 1888 and 2807 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 2346** -- Education, Higher - House Education Committee

***House Bill No. 2348** -- Criminal Offenses - House Judiciary Committee

***House Bill No. 2521** -- Motor Vehicles, Titling and Registration - House Judiciary Committee

House Bill No. 2756 -- Urban Affairs - House State & Local Government Committee

House Bill No. 2827 -- Municipal Government - House State & Local Government Committee

***House Bill No. 2389** -- Mental Illness - House Health & Human Resources Committee

***House Bill No. 2584** -- Medical Occupations - House Commerce Committee

***House Bill No. 2586** -- Insurance, Health, Accident - House Commerce Committee

***House Bill No. 2587** -- Insurance, Health, Accident - House Commerce Committee

***House Bill No. 2588** -- Managed Care Organizations - House Commerce Committee

***House Bill No. 2590** -- Insurance, Health, Accident - House Government Operations Committee

***House Bill No. 2589** -- Insurance, Health, Accident - House Commerce Committee

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House Bill No. 2749 -- Trademarks and Trade Names - House Commerce Committee

***House Bill No. 2567** -- Tennessee Wildlife Resources Agency - House Conservation & Environment Committee

***House Bill No. 2585** -- Medical Occupations - House Health & Human Resources Committee

***House Bill No. 1888** -- Penal and Reformatory Institutions - House Government Operations Committee

House Bill No. 2807 -- Workers' Compensation - House Consumer & Employee Affairs Committee

CONSENT CALENDAR

House Joint Resolution No. 556 -- Memorials, Professional Achievement - Gail Pedigo, White County's High School Teacher of the Year. by *Curtiss.

House Joint Resolution No. 557 -- Memorials, Professional Achievement - Linda Kay Bumbalough Mackie, "Teacher of the Year". by *Curtiss.

House Joint Resolution No. 558 -- Memorials, Professional Achievement - Karen Hyder, "LaFever-White County Middle School Teacher of the Year.". by *Curtiss.

House Joint Resolution No. 559 -- Memorials, Personal Achievement - Joshua Bolin, Gold Medal of Achievement Award. by *Curtiss.

House Joint Resolution No. 560 -- Memorials, Recognition and Thanks - Ralph Vaughn, 11 years President of Rutherford County Chamber of Commerce. by *Hood, *Eckles.

House Joint Resolution No. 562 -- Memorials, Congratulations - Lanna S. Keck, 1997 Miss Tennessee. by *Dunn, *Tindell, *Armstrong, *Burchett, *Bittle, *Ritchie.

House Joint Resolution No. 563 -- Memorials, Death - Gordon L. Davenport. by *McAfee, *Stulce, *Wood, *Sharp, *Brown.

Pursuant to **Rule No. 50**, Rep. Fitzhugh moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2666 -- Anatomical Gifts - Authorizes special procedures and interstate reciprocal agreements concerning donation of vascular organs. Amends TCA Title 68, Chapter 30, Part 1. by *Williams (Williamson). (*SB2592 by *Herron)

Rep. Williams requested that House Bill No. 2666 be moved to the heel of the Calendar.

***House Bill No. 2096** -- Consumer Protection - Prohibits offer to purchase credit card insurance to be made by telephone solicitation; requires offer in writing and signature authorizing purchase of such insurance. Amends TCA Title 47, Chapter 18, Part 15. by *Miller L. (SB2156 by *Harper)

Rep. Miller moved that House Bill No. 2096 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2096 by deleting all language following the enacting clause of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 15, is amended by adding the following as a new section to be appropriately designated: Section 47-18-15____.

(a) Credit card companies may offer services charged to a credit card to a cardholder by telephone solicitation and such cardholder may elect to authorize or refuse such services.

(b) If the cardholder does not authorize such services, the cardholder shall notify the credit card company of any unauthorized charges that appear on such cardholder's credit card statement within three (3) months of initial billing for such services.

(c) If the cardholder notifies the credit card company during the three (3) month period that such consumer did not authorize the services and the credit card company cannot provide proof of authorization by such consumer, the credit card company shall refund an amount equal to a minimum of three (3) months charges for services.

(d) If the cardholder notifies the credit card company during the three (3) month period that such consumer did not authorize the services and the credit card company is able to prove authorization by such cardholder, no refund shall be issued by the credit card company.

SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Miller moved that **House Bill No. 2096**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Godsey -- 1.

A motion to reconsider was tabled.

***House Bill No. 2133** -- Motor Vehicles, Titling and Registration - Rewrites provisions relative to issuance and renewal of special and cultural license plates; provides for issuance of specialty, new specialty, specialty earmarked and new specialty earmarked plates on and after 7/1/98; redistributes revenues produced from sale of such plates. Amends TCA Title 55, Chapter 4. by *Fowlkes, *White, *Haley, *Robinson, *Beavers, *Stamps. (SB2207 by *Cohen)

Rep. Fowlkes moved that House Bill No. 2133 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2133 by designating the statutory language of Section 55-4-224 in the introduced bill as subsection (a) and by adding the following as a new subsection (b):

(b)(1) Persons who are eligible to purchase or receive a license plate or plates of distinctive design for disabled drivers pursuant to the chapter 21 of this title may elect to personalize such plate or plates pursuant to §55-4-211.

(2) Such personalized plates for disabled drivers shall bear the stylized wheelchair symbol required by Section 55-21-104.

(3) The issuance and renewal of such plates shall otherwise comply with the provisions of §§55-4-211 and 55-4-219, including annual payment by the applicant of a twenty-five dollar (\$25.00) fee for each such plate in addition to the regular registration fee, if the regular registration fee is applicable.

AND FURTHER AMEND by deleting in its entirety subsection (c) of Section 55-4-211 of the introduced bill and by substituting instead the following:

(c) The following plates shall not be eligible for personalization pursuant to this section, but may be personalized if the statute authorizing such plate permits or requires such plate to be personalized in some form:

- (1) Dealer;
- (2) Emergency;
- (3) Firefighter pursuant to §55-4-241;
- (4) General assembly;
- (5) Government service;
- (6) Honorary consular;
- (7) Judiciary;
- (8) Memorial, as enumerated in §55-4-202(c)(4) and defined in §55-4-240;
- (9) Metropolitan Council;
- (10) Military, as enumerated in §55-4-202(c)(5)(Q);

- (11) National guard;
- (12) Sheriff;
- (13) Street rod, as defined in §55-4-230;
- (14) United States house of representatives;
- (15) United States judge; and
- (16) United States senate.

On motion, Amendment No. 1 was adopted.

Rep. Fowlkes moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2133 by deleting in its entirety subdivision (a)(15) in Section 55-4-202 of the introduced bill and by renumbering subsequent subdivisions accordingly.

AND FURTHER AMEND by deleting in its entirety subdivision (8) in Section 55-4-209 of the introduced bill and by substituting instead the following:

(8) "Special purpose plates" means all other motor vehicle registration plates issued pursuant to this part, including dealer, disabled, emergency, firefighter pursuant to §55-4-241, General Assembly, government service, judiciary, National Guard, sheriff, United States House of Representatives, United States Judge and United States Senate plates.

AND FURTHER AMEND by deleting in its entirety subdivision (L) of Section 55-4-202(c)(7) of the introduced bill and by substituting instead the following:

(L) CHILDREN FIRST!;

AND FURTHER AMEND by deleting from Section 55-4-273(a) the language "KIDS FIRST!" and by substituting instead the language "CHILDREN FIRST!".

AND FURTHER AMEND by deleting from Section 55-4-273(b) the language "KIDS FIRST!" and by substituting instead the language "CHILDREN FIRST!".

AND FURTHER AMEND by deleting from Section 55-4-273(c) the language "KIDS FIRST!" and by substituting instead the language "CHILDREN FIRST!".

AND FURTHER AMEND by deleting in its entirety subdivision (3) in Section 55-4-209 of the introduced bill and by substituting instead the following:

(3) "Specialty plate" means a special or cultural motor vehicle registration plate authorized by statute prior to July 1, 1998 and enumerated in §55-4-202(c)(5). "Specialty plates" shall include collegiate plates and personalized plates unless such plates are specifically excluded from such definition by statute;

On motion, Amendment No. 2 was adopted.

Rep. Whitson moved the previous question, which motion prevailed.

Rep. Fowlkes moved that **House Bill No. 2133**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2864 -- Veterans - Urges department of environment and conservation to honor Tennessee's 39 Medal of Honor recipients by erecting plaque for each on Bicentennial Mall; urges film, entertainment and music commission to make film honoring state's Medal of Honor recipients for display in schools; urges Tennessee businesses and citizens to support construction of new facility for National Medal of Honor Museum of Military History of Chattanooga. by *Burchett. (*SB2979 by *Gilbert)

Rep. Burchett moved that **House Bill No. 2864** be passed on third and final consideration, and all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner

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(Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 2250** -- Contractors - Exempts Houston County from requirement that person building dwelling on private property for resale be licensed and from requirement that contractor building residence or dwelling on private property for resale, lease or rent be licensed and submit evidence of qualifications. Amends TCA Title 62, Chapter 6. by *Ridgeway. (SB2272 by *Kurita)

On motion, House Bill No. 2250 was made to conform with **Senate Bill No. 2272**; the Senate Bill was substituted for the House Bill.

Rep. Ridgeway moved that Senate Bill No. 2272 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Ridgeway moved that **Senate Bill No. 2272** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Boner, Jones U., Kernell, Towns, Turner (Shelby) -- 5.

A motion to reconsider was tabled.

House Bill No. 2463 -- Motor Vehicles, Titling and Registration - Changes designation of proposed "KIDS FIRST!" license plate to "CHILDREN FIRST" Amends TCA Section 55-4-316. by *Ridgeway. (*SB2302 by *Haun)

Rep. Ridgeway moved that **House Bill No. 2463** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeih -- 96.

A motion to reconsider was tabled.

***House Bill No. 2453** -- Secretary of State - Makes consistent fee structure for filing, service, and copying Amends TCA Title 8, Chapter 21, Part 2; Section 20-2-205; Section 20-2-215; Title 20, Chapter 2; Section 48-11-303(a)-(c), Section 48-51-303(a)-(c), Section 48-247-103(a)-(c), Section 61-2-1207, Section 61-1-143, Section 61-1-146 and Title 61, Chapter 1. Repeals TCA Section 67-4-412. by *Rhinehart. (SB2810 by *Crutchfield)

Rep. Rhinehart moved that House Bill No. 2453 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2453 By deleting the language "Tennessee Code Annotated, Sections 20-2-105 and 20-2-115" in the original Section 7 and by substituting instead the language "Tennessee Code Annotated, Sections 20-2-205 and 20-2-215".

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart requested that House Bill No. 2453 be moved to the heel of the Calendar.

***House Bill No. 2278** -- Local Government, General - Authorizes counties and municipalities to enter into agreements with private or public nonprofit corporations to provide emergency and non-emergency ambulance service and if such contracts exist, then for interlocal agreements such corporations are considered to be public agencies Amends TCA Title 7, Chapter 61 and Title 12, Chapter 9. by *Rhinehart, *Buck. (SB2305 by *Rochelle, *Buck)

On motion, House Bill No. 2278 was made to conform with **Senate Bill No. 2305**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that Senate Bill No. 2305 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2305 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-61-104(b), is amended by deleting subsection (b) in its entirety and by substituting instead a new subsection (b) as follows:

(b) Any two (2) or more counties and municipalities may enter into agreements with each other and with persons providing both emergency and non-emergency ambulance service for a county or counties on a county-wide basis, for joint or cooperative action to provide for ambulance service as authorized in this chapter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2305 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than eight hundred twenty-five thousand (825,000) nor more than eight hundred thirty thousand (830,000) according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2305 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000) according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 3 was adopted.

Rep. Rhinehart moved that Amendment No. 4 be withdrawn.

Rep. Rhinehart requested that Senate Bill No. 2305 be moved to the heel of the Calendar.

House Bill No. 2501 -- Business and Commerce - Requires retail business to reimburse customer for additional expenses incurred in returning item or product to have anti-theft security tag removed which was not removed at time of purchase; it is an unfair business practice if retailer fails to reimburse for such costs. Amends TCA Title 47, Chapter 50, Part 1. by *DeBerry L, *Armstrong, *Miller L, *Bowers. (*SB2546 by *Dixon)

Rep. L. DeBerry moved that House Bill No. 2501 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer & Employee Affairs Committee Amendment No. 1.

Rep. L. DeBerry moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2501 by adding the following new subsection (b) to the amendatory language of Section 1 of the printed bill and by redesignating the subsequent subsection as subsection (c):

(b) No reimbursement for additional expenses incurred by the customer for clothing or products shall be made unless the returning party presents a receipt reflecting proper purchase of such clothing or products.

On motion, Amendment No. 2 was adopted.

Rep. Brooks moved the previous question, which motion prevailed by the following vote:

Ayes60
Noes19
Present and not voting3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, DeBerry J., DeBerry L., Ford, Fowlkes, Fraley, Givens, Hargett, Hassell, Hood, Jackson, Jones S., Jones U., Kent, Langster, Lewis, McDonald, Miller, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Scroggs, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Whitson, Williams -- 60.

Representatives voting no were: Davidson, Dunn, Eckles, Fitzhugh, Godsey, Goins, Halteman-Harwell, Head, Kerr, Maddox, McAfee, McDaniel, Sands, Sargent, Sharp, Stamps, White, Winningham, Wood -- 19.

Representatives present and not voting were: Chumney, Haley, Kernell -- 3.

Rep. L. DeBerry moved that **House Bill No. 2501**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes74
Noes8
Present and not voting6

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, DeBerry J., DeBerry L., Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Hicks, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Maddox, McDaniel, McDonald, McMillan, Miller, Odom, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Dunn, Eckles, Godsey, Hood, Kerr, Lewis, Sands, Wood -- 8.

Representatives present and not voting were: Davidson, Head, Mumpower, Newton, Pinion, White -- 6.

A motion to reconsider was tabled.

***House Bill No. 3141** -- Dentists - Establishes scope of practice for dentists and hygienists. Amends TCA Section 63-5-108 and Section 63-5-115. by *Rinks, *DeBerry J, *Newton, *Godsey, *Eckles, *Walker (Blount). (SB3258 by *Ramsey, *Person)

Rep. Rinks moved that House Bill No. 3141 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3141 by deleting the amendatory language of Section 3 and substituting instead the following:

A licensed dentist may not allow, under general supervision, more than three (3) dental hygienists to work at any one (1) time.

On motion, Amendment No. 1 was adopted.

Rep. Rinks moved that **House Bill No. 3141**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2666 -- Anatomical Gifts - Authorizes special procedures and interstate reciprocal agreements concerning donation of vascular organs. Amends TCA Title 68, Chapter 30, Part 1. by *Williams (Williamson). (*SB2592 by *Herron)

Further consideration of House Bill No. 2666, previously considered on today's Calendar.

Rep. Williams moved that House Bill No(s). 2666 be reset for the Regular Calendar on March 19, 1998, which motion prevailed.

***House Bill No. 2453** -- Secretary of State - Makes consistent fee structure for filing, service, and copying Amends TCA Title 8, Chapter 21, Part 2; Section 20-2-205; Section 20-2-215; Title 20, Chapter 2; Section 48-11-303(a)-(c), Section 48-51-303(a)-(c), Section 48-247-103(a)-(c), Section 61-2-1207, Section 61-1-143, Section 61-1-146 and Title 61, Chapter 1. Repeals TCA Section 67-4-412. by *Rhinehart. (SB2810 by *Crutchfield)

Further consideration of House Bill No. 2453, previously considered on today's Calendar at which time the House adopted Amendment No. 1.

Rep. Rhinehart moved that House Bill No. 2453, as amended, be passed on third and final consideration.

Rep. Rhinehart moved that House Bill No(s). 2453 be reset for the Regular Calendar on March 11, 1998, which motion prevailed.

Senate Bill No. 2305 -- Local Government, General - Authorizes counties and municipalities to enter into agreements with private or public nonprofit corporations to provide emergency and non-emergency ambulance service and if such contracts exist, then for interlocal agreements such corporations are considered to be public agencies Amends TCA Title 7, Chapter 61 and Title 12, Chapter 9. by *Rochelle, *Buck. (*HB2278 by *Rhinehart, *Buck)

Further consideration of Senate Bill No. 2305, previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment(s) No(s). 1, 2 and 3 and was on the motion to withdraw Amendment No. 4.

THURSDAY, MARCH 5, 1998 -- SEVENTIETH LEGISLATIVE DAY

Rep. Rhinehart moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Rhinehart moved that **Senate Bill No. 2305**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Brown, Buck, Burchett, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brooks, Caldwell, Cooper, Odom -- 4.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

On motion of Rep. Ferguson, **House Bill No. 3301** was recalled from the State & Local Government Committee and withdrawn from the House.

ENGROSSED BILLS

March 5, 1998

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 556, 557, 558, 559, 560, 562 and 563.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 5, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2188, 2190, 2229, 2285, 2437, 2612 and 3015; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2188** -- Criminal Offenses - Expands offense of false reporting to include false statements made by person in response to inquiry of law enforcement officer as well as false statements initiated by such person. Amends TCA Section 39-16-502. by *Ramsey.

THURSDAY, MARCH 5, 1998 -- SEVENTIETH LEGISLATIVE DAY

***Senate Bill No. 2190** -- Consumer Protection - Prohibits telemarketers from offering lottery winnings to consumers in exchange for incurring monetary obligation or making a purchase; violation is theft and graded as such; clarifies such practice violates Consumer Protection Act. Amends TCA Title 39 and Title 47, Chapter 18. by *Rochelle.

Senate Bill No. 2229 -- Unemployment Compensation - Restricts use of Reed Act moneys credited or allocated for fiscal years 1999-2002 solely to administration of unemployment insurance program. Amends TCA 50-7-502(a). by *Elease, *Atchley, *Dixon, *Rochelle.

***Senate Bill No. 2285** -- Bail, Bail Bonds - Requires defendant's surety be served with scire facias by certified mail at last known address when court orders that the defendant's bail bond is forfeited. Amends TCA Title 40, Chapter 11, Part 1. by *Rochelle.

***Senate Bill No. 2437** -- Alcoholic Beverages - Redefines "premiere type tourist resort" to include Riverwatch Development. Amends TCA Section 57-4-102(17). by *Crutchfield.

Senate Bill No. 2612 -- Surveyors - Revises certain requirements for renewal of registration of land surveyors. Amends TCA Title 62, Chapter 18. by *Haynes.

***Senate Bill No. 3015** -- Bonding, Surety and Professional - Establishes standard procedure for filing surety bonds of public officials. Amends TCA Title 5; Title 8; Title 9; Title 18; Title 54 and Title 67. by *Henry.

ENGROSSED BILLS

March 5, 1998

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2096, 2133, 2463, 2501, 2864 and 3141.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 5, 1998

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 2676, 2924, 2941, 2950, 2987, 3038 and 3369.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 5, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 533, 534, 535, 537, 538 and 539, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

March 5, 1998

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 497, 540, 541, 542, 543 and 544.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 5, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 497, 540, 541, 542, 543 and 544

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

March 5, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 1520, 2707, 2798, 2937, 2962, 3173 and 3371.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 5, 1998

The Speaker signed the following: House Bill(s) No(s). 1520, 2707, 2798, 2937, 2962, 3173 and 3371.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 5, 1998

The Speaker signed the following: Senate Bill(s) No(s). 922, 2154, 2186, 2282, 2410, 2423, 2457, 2481, 2525, 2571, 2611, 2823, 2897, 3093, 3117, 3182 and 3296; also, Senate Joint Resolution(s) No(s). 440, 451, 452, 453, 454, 455, 456, 459, 460, 461, 462, 463 and 464.

CONSENT CALENDAR

March 5, 1998

The following local bills have been placed on the Consent Calendar for **March 9, 1998**: House Bill(s) No(s). 3374, 3375, 3376, 3377, 3378, 3379 and 3380.

ROLL CALL

The roll call was taken with the following results:

Present95

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, March 9, 1998.